

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re KEITH SEKERKE,

No. C 11-03519 SBA (PR)

**ORDER OF DISMISSAL**

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This action was opened in error when the Court received a letter dated June 30, 2011 from Plaintiff that was intended to be filed in a previously-filed action -- Case No. C 11-3253 SBA (PR). Plaintiff had only filed a letter dated June 22, 2011 in Case No. C 11-3253 SBA (PR); therefore, he was informed by the Clerk of the Court that his action could not go forward until he filed with the Court a civil rights complaint form. On July 22, 2011 Plaintiff completed and filed a civil rights complaint form in Case No. C 11-3253 SBA (PR). When Plaintiff sent his letter dated June 30, 2011, he did not indicate it was to be filed in Case No. C 11-3253 SBA (PR); therefore, it was opened as a new action.

Plaintiff currently has two separate civil rights actions pending, although he meant to file only one action. Accordingly, the Clerk is directed to remove Plaintiff's letter from this action, to file it in his previously-filed action, Case No. C 11-3253 SBA (PR), and to docket it as Plaintiff's "Letter dated June 30, 2011." The Clerk is further directed to mark it as filed on July 18, 2011, the date it was received by the Court.

The present action is DISMISSED because it was opened in error. No filing fee is due. The Clerk shall close the file.

IT IS SO ORDERED.

DATED: 8/22/11

  
SAUNDRA BROWN ARMSTRONG  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

IN RE KEITH SEKERKE,

Plaintiff,

v.

IN RE KEITH SEKERKE et al,

Defendant.

Case Number: CV11-03519 SBA

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 22, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Keith Sekerke  
C.C.I.  
P.O. Box 1906  
Tehachapi, CA 93581

Dated: August 22, 2011

Richard W. Wieking, Clerk  
By: LISA R CLARK, Deputy Clerk